App F IX 4

Previous References 1944 Municipal File No 42-44 Serial Nos 97, 98

Later References

GENERAL AND REVENUE SECRETARIAT 10

Serial Nos Two

Part B for Jany '45

SUBJECT

Election of Dr. H Hanumanthaiah as Vice President of the Higher Secondary Board

The Compiler T. G.

L 6928 dated 12.1.45

Approves with an observation

M 2/2

Election of Vice President to the

From the D[istrict] Ch[ief] Ad[ministrative] Officer
No. A&G 73744 dtd 21 Dec 44
Reports approval of the election of
Dr. H. Hanumantha Rao as Vice
President of the Hungum Municipal C
[illegible]
Accdg to the report, the petition
has been filed by the entire members
contesting the validity of the election of Dr. Hanu-
mantha Rao to the S.D.O. challenging who
was asked to hold an enquiry in the matter
& finds that the election is quite regular which
[illegible] also applies to the D.C.'s
The law section may however, be
consulted

The connected records received from the D.O. are furnished below for

[illegible] 2/1/44 [illegible] election of the
Vice President of the Hungum Municipality was held
on the 23rd [illegible]
[illegible] was opposed
by three councillors [illegible]
against the said election to the
D.C. challenging [illegible] the S.D.O.
challenge was disputed to hold
the [illegible]
[illegible] S.D.O. has reported

That the election proceedings are
quite regular that there is no
illegality that the objection petition
may be rejected We do
uphold this finding & they
recommend that the election of
Mr H Hammarsten as Vice
President of the Borough may
may be approved
It is seen from the enquiry report
of the records that there is
no irregularity which would
materially vitiate the proceedings
hence the Dist's finding may be
accepted & the election approved

There are points in this case
The election was held on 22 7 44
and a petition was filed on 29 7 44
The final report of the D O is
dated 8/11/44 the D O has taken
nearly 4½ months for an enquiry
being held in this case, and the
result that the person elected to the
office of the Vice President is kept
out of office unnecessarily for such a
long period such delays militate
against the spirit of local self govt
and the object of election which is
a standing order to the effect that

A

B

the enquiry in such cases should be completed within a month of the presentation of the petition. Mr Speaker will be asked to direct that such petitions with a request that such petitions should be brought to Parliament expeditiously

for orders re Bills before

Law Officers

LOY LAW CERT
S 186
5/1/45
DAE

There are no material irregularities & the objection cannot be rejected

The delay of 4½ months caused in the enquiry is unavoidable

Yes
10.1.45

Thus may be handed out

Yes
9-7-45

Number 259

Election to Parliament

Draft Prosecution Case

10/1/45 - 10-7-45

[2. Lg Minister on deputation to Karachi]

4312 Election of Ld to Hungerford
L
A draft notification is perhaps
in a
JOL 10/1
Issue
forms
10/1/45

GTN & F V & CTT

The enrolment, No
L 6928 of 12-1-45
notifies the election

Bwm 23/1

5

PH 42-44-97

4312/C

Deputy Commissioner
OFFICE OF THE CHITALDRUG DISTRICT

Tel Address — Depcom
CHITALDRUG

I reply please refer to :
N M6-73/44-45
Enclosures two files and two books

Dated Chitaldrug 21st December 1944

FROM

The Deputy Commissioner,
Chitaldrug District Chitaldrug

To

C Narayanaswami Naidu, Esquire, B A, B L,
Legal Remembrancer and Secretary to Government,
Law Department, Bangalore

Election of Mr M Hanumantha Rao as Vice President of Hiriyur Minor Municipality

Sir,

In forwarding herewith the entire file of records ending with letter No P R 1/44-45 dated the 8th instant received from the Sub Division Officer, Chitaldrug, on the above subject, I have the honour to state that in accordance with a resolution passed by the Municipal Council at its meeting held on the 30th June 1944, expressing its desire to have a Vice President, as laid down in Section 10(1) of the Minor Municipalities Act, an election of a Vice President was held on the 22nd July 1944 Out of the six candidates that competed for the election four candidates withdrew their -- candidature before the commencement of the meeting Out of the remaining two candidates Viz, Messrs M Hanumantha Rao and Chowdri Abdul Azeez, Mr Hanumantha Rao secured 10 votes as against 5 secured by the latter So Mr Hanumantha Rao was declared duly elected

Subsequently there was a petition objecting the validity of the above election (under Rule 13 of the rules governing the election of Vice Presidents of Minor Municipal Councils, the Sub Division Officer was appointed to enquire and send a report in the matter

The Sub Division Officer who conducted the enquiry reports

reports that the election of the Vice President held is quite regular and that no illegal procedure has been adopted and that the objection petition may be rejected

I agree with the opinion of the Sub Divisional Officer and request that Government may be pleased to approve of the election of Mr. Narumantha Rao, as Vice President of Hiriyur Linear Municipality till the expiry of the term of the present constitution

The file of reports ending with report No 2/41-45 dated the 22nd July 1941 is also herewith sent for perusal and return

I have the honour to be,
Sir,
Your most obedient Servant,

Deputy Commissioner,
Chitaldrug Dist

C M F L/

No MZ PR 1/44-45 Enclosures

Office of the Assistant Commissioner,
Chitaldroog Sub Division,
Chitaldroog dated 8th December 1944

To

A6
4555

The Deputy Commissioner,
Chitaldroog District,
Chitaldroog

8 - DEC 1944
EVENING TAPP

Sir,

With reference to your memo No A 6-73/44-45 dated 29-7-44 forwarding the appeal petition No 84/44-45 and asking me to hold the enquiry thereto I have the honour to state that I made enquiry and report as follows -

The counsel for the appellant contended that the election may be set aside as 7 days' notice was not given to the members of Municipal Council regarding the meeting held on 30-6-44 at which it was resolved to have an elected Vice President This point was considered in detail The Amildar President has issued on 20-6-44 the agenda of subjects for the meeting held on 30-6-44 and the same has been served on all the members All the members attended the meeting on 30-6-44 at which Mr Srikantiah, moved that the council should have an elected Vice President and it was passed unanimously

In pursuance of this resolution, a special meeting was held on 22-7-44 at which the Vice President was elected So this was within 30 days as per rules The counsel for opponents did not argue on other points of the appeal petition We conceded all other points to be baseless I hold that the election of the Vice President held is quite regular and no illegal procedure has been adopted

Hence I recommend that appeal petition may be rejected The connected papers and exhibits, as per enclosed list are sent herewith

I have the honour to be,
Sir,
Your Most Obedient Servant,

S Kantha Rao
Assistant Commissioner
Chitaldroog Sub Division

8/12

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L-6928
III-42-44-98

General and Revenue Secretariat

Dated Bangalore 12th Jan 1945

NOTIFICATION

[illegible]

GOVERNMENT OF H S H'GH ^ss THE MAHARAJA OF MYS

No

General and Revenue Secre arial

Dated Bangalore

NOTIFICATION

Rec L-6928-Pol 42-44-98
12 copies

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

12/1/44

Notification

under section 10(4) of the Hyderabad Municipalities as amended by the Act, 1933, Mr M Hanumantha Rao is elected Vice President of the Hyderabad municipal, Chital Dupot

By Order

Secretary

To

The Compiler, Rg, for publication in part III of the Gazette & supply of ten copies thereof to the Secretary to the D-C Chital Dupot-

Memo No. L-6929

Copy of the above is forwarded with compliments to the D-C Chital

12/1/44

Dt with reference to his letter
No A 6 73/44 dt 21-12-44 with forwarding the following observations for observance that in the records shown to this case
(a) that it has taken nearly 4½ months before the petition was disposed of
for an enquiry of the objection petition filed by one of the members in this connection, with the result that the person elected to the office of the Vice President is kept out of office unnecessarily for such a long period. This is very unsatisfactory such delays militate against the spirit of local self govt and should be checked and the objection petition, therefore, should be disposed of expeditiously, as provided that such petitions should be brought to disposal expeditiously, as far as practicable within one month from the date of the filing of the objection petition
Records accompany

Sd
Asstt 10/1/45
for Secy to Govt

Pages 1--10